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September 10, 2007
By Fax and Mail

MEMO ENDORSED

Honorable Charles L. Brieant
United States Courthouse, Room 275
300 Quarropas Street
White Plains, New York 10601

Re: U.S. v. Efrain Villavicencio
Docket No.: 7: 07-cr-00531-CLB

Dear Judge Brieant:

I recently substituted for Joel Dranove, Esq. in the above matter and was able to obtain his file this past Friday evening.* I spoke with Assistant U.S. Attorney Marcia Cohen and I have just been made aware that a plea deadline expires today. Ms. Cohen suggested that I make this application. Owing to travel plans and the Jewish holidays, I will not be able to see my client until sometime next week and the matter is currently scheduled for trial on November 5th. I can appear on any of the following dates: September 25, September 26 or September 28 to make an application before Your Honor in the presence of my client for relief from the plea deadline set for today.

Respectfully yours,

Martin L. Schmukler

Martin L. Schmukler

MLS/dt
cc: Marcia Cohen

* At the time I substituted I was not aware that a trial date had been fixed. On November 8th I will be starting trial before U.S. District Judge Arcara in Buffalo, New York.

*First date to accept
responsibility re charged
to October 1, 2007. Jury
selection and trial remain
scheduled for November 5,
2007.
So ordered Charles L. Brieant
9-19-07 USDS*